Remarks

Claims 100-119 stand rejected and remain pending. Claim 110 is amended herein. The Applicant respectfully requests allowance of claims 100-119 in light of the remarks presented below.

Claim Rejection Under 35 U.S.C. § 101

Claims 110-119 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. (Page 2 of the Office action.) More specifically, the Office action indicates that "[t]he 'system' as claimed lacks evidence of storage on a medium which enables an underlying functionality to occur. The elements listed in the claims (*first web-site, second web-site and account server*) are not necessarily hardware elements. Instead, one can reasonably interpret them as software. Software, per se, is non-statutory." (Page 2 of the Office action; emphasis supplied.)

In response, claim 110 is amended herein to replace each instance of the term "web-site" with the phrase "web server". As indicated in the present application in reference to the communication devices 101-103 of Fig. 1, "[s]ome examples of the communication *devices* include without limitation, *a web server*, a wireless device, and a wireline device." (Page 5, lines 25 and 26; emphasis supplied.) Thus, the application indicates that web servers are communication devices, and are thus not simply disembodied software. Similarly, the term "account *server*" also applies to a device, and not merely to software, although the web servers and the account server may operate at least partially under control of software instructions. Thus, the Applicant contends that amended independent claim 110, as well as claims 111-119 depending therefrom, recites statutory subject matter, and such indication is respectfully requested.

Therefore, in light of the foregoing discussion, the Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection.

Claim Rejection Under 35 U.S.C. § 103

Claims 100-119 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0046255 to Moore et al. (hereinafter "Moore") in view

of U.S. Patent No. 6,587,867 to Miller et al. (hereinafter "Miller"). (Page 3 of the Office action.) The Applicant respectfully traverses the rejection on the basis of the following discussion.

Method claim 100 provides, in part, "*in a first one of the web-sites*, interacting with a first one of the end-users over the Internet, and in response, *transferring a first communication account request over the Internet to an account server....*" (Emphasis supplied.) Further, claim 100 provides "*in the account server, validating the first web site in response to receiving the first communication account request ... and transferring the first account code over the Internet to the first web site.*" System claim 110 incorporates similar provisions.

The Office action alleges that Moore teaches all limitations of claim 100, except for validating the web site in response to receiving the first communication account request in the account server. (Pages 3 and 4 of the Office action.) The Office action further alleges that "Miller teaches a server that validates a request in response to receiving a communication account request (col. 8, lines 47-58). At the time the invention was made, one of ordinary skill in the art would have been motivated to validate a website in response to receiving a request in order to process user's request automatically, thus allowing users to access the resource." (Id.) The Applicant respectfully disagrees with these allegations, as the combination of Moore and Miller neither teaches nor suggests several of these limitations.

Account Server, and Communication Therewith

Generally, Moore discloses an open network architecture system 100 which "is accessible via a network connection through the network 110, such as the Internet, for allowing a plurality of customers, such as individual end-users having a web browser, to ubiquitously access the system 100 for purchasing prepaid services and/or usage rights thereof, and managing and viewing their prepaid online accounts, etc. in real-time. ... The system 100 is associated with one or more web-sites having corresponding URLs for enabling the plurality of customers to interface with the system 100 via the network 110." (Paragraph [0026] and Fig. 1.) Further, "[e]ach of the web-sites is maintained by web-site system hardware 120," which comprises part of the system 100 and performs the various functions of the system. (Paragraph [0027] and Fig. 1.) One of these functions is "managing a plurality of databases connected to the web-site system hardware 120." (Id.) Thus, the end-users communicate with the web-site system hardware 120, which directly supplies the prepaid services without communication with another

system or server. Therefore, Moore does not teach or disclose "in a first one of the web-sites, ... transferring a first communication account request over the Internet to an account server," as provided for in claim 100, and incorporated similarly into claim 110, since Moore does not disclose a separate account server, much less a website *and* an account server *communicating over the Internet.*

Moore also discusses allowing customers of outside system operators to utilize the system 100 by way of network hardware 180, such as a server and a gateway coupled to the web-site system hardware by way of a *dedicated link*, and hence not over the Internet. (Paragraph [0041].) The network hardware 180 thus allows the operators to offer their own prepaid services by way of the system 100. (Paragraph [0041].) In the same fashion as described above, the end-user interfaces "with the web-site system hardware 120 via a web-site associated with the website system hardware 120 and personalized for the outside system operator(s)." (Paragraph [0042].) Moore also proposes hyperlinking the customer to the web-site system hardware 120 via the operator's own website. (Paragraphs [0041] and [0044].) Hyperlinking thus brings the end-user in direct communication with the web-site system hardware 120. Therefore, in the case of an outside system operator, Moore does not teach or suggest a separate account server, or communications between a web-site and an account server over the Internet, as provided for in claims 100 and 110 of the present application.

The Office action indicates that paragraphs [0010; 0016] of Moore teach a website transferring a first communication account request over the Internet to an account server in response to interaction between an end-user and the website. (Page 3 of the Office action.) However, paragraph [0010] only describes a subscriber accessing a signaling agent's website to purchase additional time for a service, while paragraph [0016] generally describes the system shown in Fig. 1, which contains several databases coupled with the web-site system hardware 120, and "a network [110], such as the Internet, for providing customers with ubiquitous access to the databases for viewing and managing prepaid online accounts...." No mention is made of a separate account server, or communication between the website and the account server of a communication account request over the Internet. Thus, Moore does not teach or suggest communication between a web site and a separate account server over the Internet, and such indication is respectfully requested.

Website or Web Server Validation

As indicated in the Office action, Moore does not teach or suggest "in the account server, *validating the first web site* in response to receiving the first communication request." (Page 4 of the Office action.) However, the Office action alleges that "Miller teaches a server that *validates a request* in response to receiving a communication account request (col. 8, lines 47-58)." (Page 4 of the Office action; emphasis supplied.) However, as indicated in previous responses, claims 100 and 110 set forth validation by an account server of a *website* (or *web server*), not validation of a request.

Generally, Miller discloses a telecommunication system which "provides multiple communications services with a single number for a subscriber. The subscriber can easily configure, manage and update these services via the Internet, by accessing a service or subscriber profile detailing the services specific to the subscriber." (Abstract.) In Miller, a subscriber may employ a web browser 60 to access a web server 42 coupled with a token server 62 to facilitate management of the communications services. (See Fig. 2.) To provide for secure access by the subscriber to the appropriate subscriber profile, the Miller system employs "tokens" provided by the token server 62 "to track state information for a subscriber's interaction with the web server 42 (a 'web session'). Issued and validated tokens permit the subscriber to access the subscriber's profile...." (Column 7, lines 59-64.)

More specifically in Miller, after a subscriber initially attempts to log in to the system by way of the browser 60, the web server 42 requests a token from the token server 62. (Operation 304 of Fig. 4B.) In response, the token server 62 issues a unique token associated with the subscriber (operation 404 of Fig. 4C) and sends the token to the web server 42 (operation 408 of Fig. 4C). (See also column 9, lines 4-17.) The web server 42 sends the token, along with a login screen, to the web browser 60. (Operation 312 of Fig. 4B; and column 9, lines 26-30.) Thereafter, when the subscriber uses the browser 60 to log in to the service, update portions of the profile, and so on, the token initially issued by the token server 62 is passed between the browser 60 and the token server 62 by way of the web server 42. (See, generally, Figs. 4A-4C and 9A-9C.) The web server 42 authenticates login and subsequent subscriber requests from the browser 60, in part, by way of the token (operation 318 of Fig. 4B; and column 9, lines 53-59), and the token server 62 authenticates the token accompanying each request (operation 422 of Fig. 4C; and column 10, lines 8-14). Also, the token server 62 may request the token validation

from a token database 64 coupled with the token server 62. (Column 8, lines 57 and 58.) "As a result, the token tracks the current session with the subscriber until the subscriber logs off...." (Column 10, lines 30-31.)

In sum, the Miller web server 42 authenticates *subscriber requests*, while the token server 62 authenticates *the token associated with the subscriber's web session* that accompanies each of the requests during that session. Thus, these operations do not involve validation of the web server 42. Further, Miller does not indicate that validation of its web server 42 (or a website) is required or recommended. Thus, at no point does Miller indicate that tokens or any other data described therein are employed to validate a *website* or *web server*, as set forth in claims 100 and 110, and such indication is respectfully requested.

Additionally, as Miller does not teach or suggest validating a website or web server, the Applicant respectfully asserts that the combination of Moore and Miller does not teach or suggest selecting an account code for an end-user in response to validating the website or web server, as provided for in claims 100 and 110, and such indication is respectfully requested.

Motivation to Combine Moore and Miller

The Office action also indicates that "[a]t the time the invention was made, one of ordinary skill in the art would have been motivated to *validate a website in response to receiving a request in order to process [the] user's request automatically, thus allowing users to access the resource.*" (Page 4 of the Office action.) The Applicant respectfully disagrees for two reasons. The websites of Moore do not appear to require any kind of validation since all of the websites disclosed therein are hosted on a single website system hardware 120. Further, Moore appears to already process user requests at least as automatically as Miller. Thus, the Applicant asserts that no motivation exists to combine Moore with Miller in the manner suggested in the Office action, and such indication is respectfully requested.

Given the foregoing, the Applicant asserts that claims 100 and 110 are allowable in view of the combination of Moore and Miller for at least the reasons provided above, and such indication is respectfully requested.

Claims 101-109 depend from independent claim 100, and claims 111-119 depend from independent claim 110, thus incorporating the provisions of their corresponding independent

claims. Thus, the Applicant contends that claims 101-109 and 111-119 are allowable for at least the same reasons provided above in support of claims 100 and 110, and such indication is respectfully requested.

Therefore, in light of the reasons set forth above, the Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 100-119.

Conclusion

Based on the above remarks, the Applicant submits that claims 100-119 are allowable. Additional reasons in support of patentability exist, but such reasons are omitted in the interests of clarity and brevity. The Applicant thus respectfully requests allowance of claims 100-119.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765 accordingly.

Respectfully submitted,

Date: 06/23/2008   /Kyle J. Way/

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